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State Bar Court of California
Hearing Department
Los Angeles
ACTUAL SUSPENSION

<p>Counsel For The State Bar</p> <p>Ashod Mooradian Deputy Trial Counsel 1149 S. Hill Street Los Angeles, CA 90015 (213) 765-1004</p> <p>Bar # 194283</p>	<p>Case Number(s): 11-C-11531-RAP</p> <p>PUBLIC MATTER</p>	<p>For Court use only</p> <p>FILED OCT 13 2011 STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p>
<p>Counsel For Respondent</p> <p>Susan L. Margolis MARGOLIS & MARGOLIS, LLP 2000 Riverside Drive Los Angeles, CA 90039 (323) 953-8996</p> <p>Bar # 104629</p>	<p>Submitted to: Settlement Judge</p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p>ACTUAL SUSPENSION</p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter of: JOHN DAVID MUNOZ</p> <p>Bar # 176815</p> <p>A Member of the State Bar of California (Respondent)</p>		

Note: All information required by this form and any additional information which cannot be provided in the space provided, must be set forth in an attachment to this stipulation under specific headings, e.g., "Facts," "Dismissals," "Conclusions of Law," "Supporting Authority," etc.

A. Parties' Acknowledgments:

- (1) Respondent is a member of the State Bar of California, admitted June 12, 1995.
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition are rejected or changed by the Supreme Court.
- (3) All investigations or proceedings listed by case number in the caption of this stipulation are entirely resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of 13 pages, not including the order.



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- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."
- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law".
- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."
- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
- Until costs are paid in full, Respondent will remain actually suspended from the practice of law unless relief is obtained per rule 5.130, Rules of Procedure.
 - Costs are to be paid in equal amounts prior to February 1 for the following membership years: 2013, 2014, 2015. (Hardship, special circumstances or other good cause per rule 5.132, Rules of Procedure.) If Respondent fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.
 - Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
 - Costs are entirely waived.

B. Aggravating Circumstances [for definition, see Standards for Attorney Sanctions for Professional Misconduct, standard 1.2(b)]. Facts supporting aggravating circumstances are required.

- (1) **Prior record of discipline** [see standard 1.2(f)]
- (a) State Bar Court case # of prior case
 - (b) Date prior discipline effective
 - (c) Rules of Professional Conduct/ State Bar Act violations:
 - (d) Degree of prior discipline
 - (e) If Respondent has two or more incidents of prior discipline, use space provided below.
- (2) **Dishonesty:** Respondent's misconduct was surrounded by or followed by bad faith, dishonesty, concealment, overreaching or other violations of the State Bar Act or Rules of Professional Conduct.
- (3) **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (4) **Harm:** Respondent's misconduct harmed significantly a client, the public or the administration of justice.
- (5) **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.

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- (6) **Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct or to the State Bar during disciplinary investigation or proceedings.
- (7) **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct. See Stipulation Attachment, page 10, section "C", paragraph 1.
- (8) **No aggravating circumstances** are involved.

Additional aggravating circumstances:

None.

C. Mitigating Circumstances [see standard 1.2(e)]. Facts supporting mitigating circumstances are required.

- (1) **No Prior Discipline:** Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not deemed serious. See Stipulation Attachment, page 10, section "D", paragraph 1.
- (2) **No Harm:** Respondent did not harm the client or person who was the object of the misconduct.
- (3) **Candor/Cooperation:** Respondent displayed spontaneous candor and cooperation with the victims of his/her misconduct and to the State Bar during disciplinary investigation and proceedings. See Stipulation Attachment, page 10, section "D", paragraph 2.
- (4) **Remorse:** Respondent promptly took objective steps spontaneously demonstrating remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of his/her misconduct. See Stipulation Attachment, page 10, section "D", paragraph 3.
- (5) **Restitution:** Respondent paid \$ _____ on _____ in restitution to _____ without the threat or force of disciplinary, civil or criminal proceedings.
- (6) **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to Respondent and the delay prejudiced him/her.
- (7) **Good Faith:** Respondent acted in good faith.
- (8) **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct Respondent suffered extreme emotional difficulties or physical disabilities which expert testimony would establish was directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by the member, such as illegal drug or substance abuse, and Respondent no longer suffers from such difficulties or disabilities.
- (9) **Severe Financial Stress:** At the time of the misconduct, Respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond his/her control and which were directly responsible for the misconduct.
- (10) **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature. See Stipulation Attachment, pages 10-11, section "D", paragraph 4.

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- (11) **Good Character:** Respondent's good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct. See Stipulation Attachment, page 11, section "D", paragraph 5.
- (12) **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.
- (13) **No mitigating circumstances** are involved.

Additional mitigating circumstances:

None.

D. Discipline:

(1) **Stayed Suspension:**

- (a) Respondent must be suspended from the practice of law for a period of One (1) Year.
- i. and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii) Standards for Attorney Sanctions for Professional Misconduct.
- ii. and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.
- iii. and until Respondent does the following:
- (b) The above-referenced suspension is stayed.

(2) **Probation:**

Respondent must be placed on probation for a period of Two (2) Years, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18, California Rules of Court)

(3) **Actual Suspension:**

- (a) Respondent must be actually suspended from the practice of law in the State of California for a period of One Hundred Twenty (120) Days.
- i. and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct
- ii. and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.
- iii. and until Respondent does the following:

E. Additional Conditions of Probation:

- (1) If Respondent is actually suspended for two years or more, he/she must remain actually suspended until he/she proves to the State Bar Court his/her rehabilitation, fitness to practice, and learning and ability in the general law, pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct.
- (2) During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (3) Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.
- (4) Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.
- (5) Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. Respondent must also state whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 days, that report must be submitted on the next quarter date, and cover the extended period.

In addition to all quarterly reports, a final report, containing the same information, is due no earlier than twenty (20) days before the last day of the period of probation and no later than the last day of probation.

- (6) Respondent must be assigned a probation monitor. Respondent must promptly review the terms and conditions of probation with the probation monitor to establish a manner and schedule of compliance. During the period of probation, Respondent must furnish to the monitor such reports as may be requested, in addition to the quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the probation monitor.
- (7) Subject to assertion of applicable privileges, Respondent must answer fully, promptly and truthfully any inquiries of the Office of Probation and any probation monitor assigned under these conditions which are directed to Respondent personally or in writing relating to whether Respondent is complying or has complied with the probation conditions.
- (8) Within one (1) year of the effective date of the discipline herein, Respondent must provide to the Office of Probation satisfactory proof of attendance at a session of the Ethics School, and passage of the test given at the end of that session.
 - No Ethics School recommended. Reason: .
- (9) Respondent must comply with all conditions of probation imposed in the underlying criminal matter and must so declare under penalty of perjury in conjunction with any quarterly report to be filed with the Office of Probation.
- (10) The following conditions are attached hereto and incorporated:
 - Substance Abuse Conditions Law Office Management Conditions
 - Medical Conditions Financial Conditions

F. Other Conditions Negotiated by the Parties:

- (1) **Multistate Professional Responsibility Examination:** Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation during the period of actual suspension or within one year, whichever period is longer. **Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 5.162(A) & (E), Rules of Procedure.**
 No MPRE recommended. Reason:
- (2) **Rule 9.20, California Rules of Court:** Respondent must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (3) **Conditional Rule 9.20, California Rules of Court:** If Respondent remains actually suspended for 90 days or more, he/she must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (4) **Credit for Interim Suspension [conviction referral cases only]:** Respondent will be credited for the period of his/her interim suspension toward the stipulated period of actual suspension. Date of commencement of interim suspension:
- (5) **Other Conditions:**

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Law Office Management Conditions

- a. Within days/ months/ years of the effective date of the discipline herein, Respondent must develop a law office management/organization plan, which must be approved by the Office of Probation. This plan must include procedures to (1) send periodic reports to clients; (2) document telephone messages received and sent; (3) maintain files; (4) meet deadlines; (5) withdraw as attorney, whether of record or not, when clients cannot be contacted or located; (6) train and supervise support personnel; and (7) address any subject area or deficiency that caused or contributed to Respondent's misconduct in the current proceeding.

- b. Within days/ months/Two years of the effective date of the discipline herein, Respondent must submit to the Office of Probation satisfactory evidence of completion of no less than three hours of Minimum Continuing Legal Education (MCLE) approved courses in law office management, attorney client relations and/or general legal ethics. This requirement is separate from any MCLE requirement, and Respondent will not receive MCLE credit for attending these courses (Rule 3201, Rules of Procedure of the State Bar.)

- c. Within 30 days of the effective date of the discipline, Respondent must join the Law Practice Management and Technology Section of the State Bar of California and pay the dues and costs of enrollment for year(s). Respondent must furnish satisfactory evidence of membership in the section to the Office of Probation of the State Bar of California in the first report required.

Other:

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: JOHN DAVID MUNOZ

CASE NUMBER(S): 11-C-11531-RAP

A. PARTIES ARE BOUND BY THE STIPULATED FACTS, CONCLUSIONS OF LAW AND DISPOSITION.

The parties intend to be and are hereby bound by the stipulated facts, conclusions of law, and disposition contained in this stipulation. This stipulation as to facts and the facts so stipulated shall independently survive even if the conclusions of law and/or stipulated disposition set forth herein are rejected or changed in any manner whatsoever by the Hearing Department or the Review Department of the State Bar Court, or by the California Supreme Court.

B. FACTS AND CONCLUSIONS OF LAW.

JOHN DAVID MUNOZ ("Respondent") admits that the following facts are true and that he is culpable of violations of the specified statutes and/or Rules of Professional Conduct.

Procedural Background in Conviction Proceeding:

1. This is a proceeding pursuant to sections 6101 and 6102 of the Business and Professions Code and rule 9.10 of the California Rules of Court.
2. On March 7, 2011, Respondent was convicted of violating Penal Code 148(a) [Resist/Obstruct Public/Peace Officer], a misdemeanor.
3. On July 14, 2011, the Review Department of the State Bar Court issued an order referring the matter to the Hearing Department for a hearing and a decision as to whether the facts and circumstances surrounding the violation of which Respondent was convicted involved moral turpitude or other misconduct warranting discipline, and if so, the discipline to be imposed.

Facts Supporting Culpability:

4. On or about February 9, 2008, Respondent discovered that his leased 2005 Mercedes Benz E500 was stolen from his residence.
5. Respondent suspected that a close family member had taken his Mercedes. Respondent contacted the person suspected and warned that if his vehicle was not returned by Monday morning he would report the vehicle stolen.

6. On February 11, 2008, at approximately 2:41 am, Riverside Police Officer C. Disla recovered a 2005 Mercedes Benz E500. The vehicle had been completely destroyed by fire and it was not until later (in March) that it was determined that Respondent owned the destroyed vehicle.

7. On February 11, 2008, at approximately 11:28 am, Respondent reported his 2005 Mercedes Benz E500 stolen to the Los Angeles Police Department ("LAPD"). This report was taken by LAPD Officer C. Villatoro.

8. In his report to the LAPD, Respondent stated that he had driven his Mercedes from home to the Metropolitan courthouse in downtown Los Angeles in order to make a court appearance, arriving at approximately 8:45 am that morning. Respondent also reported that he parked his Mercedes on 21st street, a few blocks south of the courthouse. Respondent further reported that when he completed his appearance and returned to where he had parked his Mercedes, the vehicle was gone. All of the above statements, which were false, were made under penalty of perjury.

9. On February 11, 2008, at approximately 11:51 am, Respondent made a vehicle theft claim to his insurer Allstate Indemnity Insurance Company ("Allstate"). In his claim to Allstate, Respondent repeated the same false information as in his report to the LAPD.

10. On February 18, 2008, Respondent completed an *Affidavit of Vehicle Theft Form* ("Affidavit") in support of his claim and under penalty of perjury. This Affidavit was notarized. In the Affidavit, Respondent repeated the same false information as in his report to the LAPD.

11. Shortly thereafter, Allstate assigned an investigator to look into the theft of Respondent's vehicle. Subsequently, both the California Department of Insurance and the California Highway Patrol conducted their own investigations of Respondent's theft report.

12. On May 6, 2008, Respondent agreed to submit himself to an Examination Under Oath (EUO) conducted on behalf of Allstate.

13. During the EUO, Respondent confirmed all of the same details that were included in his prior theft reports. In addition, Respondent stated that the Mercedes was leased, that the lease was about to expire when the theft occurred and that he had no gap insurance that would reimburse him for the theft. During the EUO, Respondent was advised that his vehicle was recovered in Riverside County, six or more hours before the time Respondent claimed he drove his vehicle to the Metropolitan Courthouse.

14. At the end of the EUO Respondent withdrew his insurance claim.

15. On January 26, 2010, the Riverside County District Attorney filed a felony insurance fraud complaint against Respondent in case number RIF10000082.

16. On March 7, 2011, Respondent pled guilty to one misdemeanor count of violating *Penal Code* section 148(a) [Resist/Obstruct Public/Peace Officer] and all other charges were dismissed. Respondent was also placed on a 3 year summary probation, 30 days in custody (1 day time served credit and 29 days served in Work Release program). In addition, Respondent was ordered to pay (and did thereafter pay) approximately \$100,000.00 in fines and victim restitution.

Conclusions of Law:

17. The facts and circumstances surrounding Respondent's conviction for violation of *Penal Code* section 148(a) [Resist/Obstruct Public/Peace Officer], a misdemeanor, involved moral turpitude in the surrounding facts and circumstances warranting discipline pursuant to *Business and Professions Code*, sections 6101 and 6102.

C. FACTS SUPPORTING AGGRAVATION.

1. Respondent's misconduct evidences multiple acts of wrongdoing.¹ Respondent was dishonest throughout the investigation of the Allstate insurance theft claim, including making dishonest statements under penalty of perjury.

D. FACTS SUPPORTING MITIGATION.

1. Respondent has no prior record of discipline, had been admitted to the practice of law in California for over thirteen years when the criminal misconduct herein occurred and the misconduct herein did not arise from acts in his capacity as an attorney.²

2. Respondent has exhibited candor and significant cooperation with the State Bar of California during the pendency of this matter.³ Respondent's cooperation included providing information that assisted the State Bar in its understanding of the surrounding facts and circumstances as well as Respondent's cooperation in entering into the present stipulation as to facts, conclusions of law and level of discipline.

3. Respondent has expressed remorse to the State Bar for his misconduct and acknowledged his wrongdoing.⁴ The State Bar is satisfied that Respondent's remorse is genuine and demonstrates that Respondent has taken a significant and meaningful step towards ensuring that ethical misconduct will not recur in the future.

4. Respondent's misconduct in this matter stemmed from extreme difficulties in his personal life. Respondent's conduct was not motivated by personal gain. Instead, Respondent made dishonest statements regarding date, time and location of the theft to the LAPD and Allstate Insurance in a misguided attempt to give the person he suspected of the theft additional time to return his vehicle and to shield his young daughter from the negative consequences that

¹ Standard 1.2(b)(ii).

² Standard 1.2(e)(i).

³ Standard 1.2(e)(v).

⁴ Standard 1.2(e)(vii).

she would suffer should the suspected family member be arrested and prosecuted. Respondent's conduct herein, put in the context of his entire life – his good conduct both before and since the misconduct, was aberrational.⁵

5. Respondent's good character has been attested to by attorneys and non-attorney members of the general community who are aware of the full extent of Respondent's misconduct.⁶ In addition, for fifteen years Respondent has volunteered his time to the Santa Fe Springs Neighborhood Center, giving free legal advice to low-income residents. Further, Respondent is a past board member of the Whittier Bar Association and has chaired and contributed to several charity golf tournaments. Also, Respondent has provided pro bono legal services to numerous clients and has served, on several occasions, as a Judge Pro Tem in Los Angeles County. Further, Respondent served honorably in the United States Marine Corps. Finally, Respondent is active in his church.

E. AUTHORITIES SUPPORTING DISCIPLINE.

Applicable Standards:

Standard 1.3 provides that the primary purposes of attorney discipline are, "the protection of the public, the courts and the legal profession; the maintenance of high legal professional standards by attorneys and the preservation of public confidence in the legal profession."

Standard 3.2 states that the final "...conviction of a member of a crime which involves moral turpitude, either inherently or in the facts and circumstances surrounding the crime's commission shall result in disbarment. Only if the most compelling mitigating circumstances clearly predominate, shall disbarment not be imposed. In those latter cases, the discipline shall not be less than a two-year actual suspension, prospective to any interim suspension imposed, irrespective of mitigating circumstances."

However, where compelling mitigation exists, the Supreme Court has rejected application of the two-year minimum actual suspension suggested by standard 3.2.⁷ The Supreme Court has repeatedly stated that when it comes to discipline, its duty remains to determine the appropriate sanction in light of the purposes of attorney discipline, namely the protection of the public, the preservation of public confidence in the legal profession and the maintenance of high professional standards.⁸

⁵ *Rodgers v. State Bar* (1989) 48 Cal.3d 300, 316-317. See also *Amante v. State Bar* (1990) 50 Cal.3d 247, 256 [an attorney's long otherwise unblemished career also allows us to make the finding his conduct was aberrational and unlikely to recur.]

⁶ Standard 1.2(e)(vi).

⁷ *In re Young* (1989) 49 Cal.3d 257, 268-270.

⁸ *Harford v. State Bar* (1990) 52 Cal.3d 93, 100.

Aggravating & Mitigating Circumstances:

Standard 1.2(b) provides for a greater degree of sanction set forth in the standards where aggravating circumstances exist. As discussed above, there is one aggravating circumstance in this matter, namely multiple acts of misconduct.

Standard 1.2(e) provides for a more lenient degree of sanction than set forth in the standards where mitigating circumstances exist. As discussed above, there are five mitigating circumstances in this matter. First, Respondent has no prior record of discipline. Second, Respondent has exhibited candor and significant cooperation with the State Bar of California. Third, Respondent has expressed remorse to the State Bar for his misconduct and acknowledged his wrongdoing. Fourth, at the time of the misconduct, Respondent suffered extreme difficulties in his personal life. Fifth, Respondent's good character has been attested to attorneys and non-attorney members of the general community who are aware of the full extent of Respondent's misconduct.

Caselaw:

In *Montag v. State Bar*,⁹ an attorney (with no prior record of discipline) was charged with acts of soliciting murder and participating in a burglary, as well as testifying falsely before a grand jury. The solicitation of the murder and participating in a burglary charges were found to be performed under duress and therefore did not constitute culpable conduct. However, by the time the attorney had testified at the grand jury hearings the duress had ceased. The Supreme Court agreed that attorney Montag's misconduct involved moral turpitude and dishonesty and stated that "...false testimony on a material issue is a serious breach of basic standards as well as a breach of the attorney's oath of office and his duties as an attorney."¹⁰ The Supreme Court ordered a one year stayed suspension including six months' actual suspension.¹¹

In this matter, Respondent also committed several acts of dishonesty. However, unlike the attorney in Montag, Respondent was not dishonest in a court proceeding. Moreover, Respondent's acts of misconduct were committed under more mitigating circumstances.

F. PENDING PROCEEDINGS.

The disclosure date referred to on page two, paragraph A. (7) was October 11, 2011.

G. COSTS.

Respondent acknowledges that the Office of Chief Trial Counsel has informed him that as of October 11, 2011, the estimated prosecution costs in this matter are approximately \$2,287.00. Respondent acknowledges that this figure is an estimate only. Respondent further acknowledges that should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

⁹ (1982) 32 Cal.3d 721.

¹⁰ *Id.* at 726.

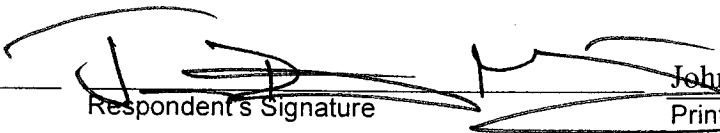

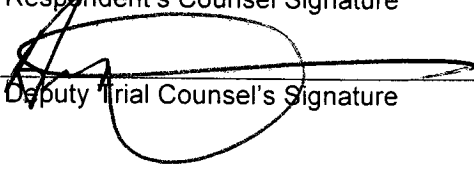
¹¹ *Id.* at 727.

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SIGNATURE OF THE PARTIES

By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Facts, Conclusions of Law, and Disposition.

10-11-11		John David Munoz
Date	Respondent's Signature	Print Name
10-11-11		Susan L. Margolis
Date	Respondent's Counsel Signature	Print Name
10-11-11		Ashod Mooradian
Date	Deputy Trial Counsel's Signature	Print Name

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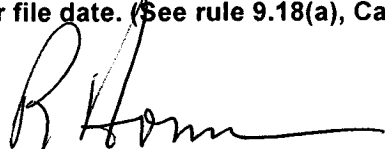
ACTUAL SUSPENSION ORDER

Finding the stipulation to be fair to the parties and that it adequately protects the public, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- The stipulated facts and disposition are APPROVED and the DISCIPLINE RECOMMENDED to the Supreme Court.
- The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the DISCIPLINE IS RECOMMENDED to the Supreme Court.
- All Hearing dates are vacated.

The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies or further modifies the approved stipulation. (See rule 5.58(E) & (F), Rules of Procedure.) **The effective date of this disposition is the effective date of the Supreme Court order herein, normally 30 days after file date. (See rule 9.18(a), California Rules of Court.)**

10/13/11



Date

RICHARD A. HONN
Judge of the State Bar Court

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of Los Angeles, on October 13, 2011, I deposited a true copy of the following document(s):

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING

in a sealed envelope for collection and mailing on that date as follows:

by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

SUSAN LYNN MARGOLIS
MARGOLIS & MARGOLIS LLP
2000 RIVERSIDE DR
LOS ANGELES, CA 90039

by certified mail, No. , with return receipt requested, through the United States Postal Service at , California, addressed as follows:

by overnight mail at , California, addressed as follows:

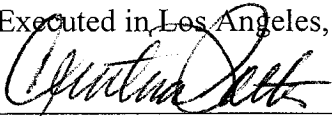
by fax transmission, at fax number . No error was reported by the fax machine that I used.

By personal service by leaving the documents in a sealed envelope or package clearly labeled to identify the attorney being served with a receptionist or a person having charge of the attorney's office, addressed as follows:

by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

Ashod Mooradian, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on October 13, 2011.



Cristina Potter
Case Administrator
State Bar Court